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NOTICE OF EX PARTE

November 2, 2016

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

Re: *Investigation of Certain Price Cap Local Exchange Carrier Business Data Services Tariff Pricing Plans, WC Docket No. 15-247; Special Access Rates for Price Cap Local Exchange Carriers, WC Docket No. 05-25 and RM-10593; Business Data Services in an Internet Protocol Environment, WC Docket No. 16-143*

Dear Ms. Dortch:

On October 31, 2016, Kathleen Abernathy, Executive Vice President of External Affairs for Frontier Communications met with Gigi Sohn, Counselor to Chairman Wheeler, to discuss the proceeding referenced above. Frontier urged the Commission to fully consider the disparate impacts that would occur if the Commission instituted a uniform rate reduction for business data services ("BDS") across providers with differing business models and revenue streams, particularly those ILECs that lack wireless or significant CLEC operations.

Frontier also explained that the BDS proceeding cannot be viewed in a vacuum. The Commission's 2011 Universal Service Fund/intercarrier compensation order phased out terminating access revenue and, by its specific terms, limited the amount of that revenue that Frontier was able to recover from end users.¹ At the same time, it also attached explicit deployment commitments to high-cost universal service funding.² Accordingly, Frontier described the need for the Commission to consider a transition period and limited BDS rate reductions for mid-size ILECs who stand to be disproportionately affected by recent regulatory reform.

Please contact me with any additional questions.

¹ *In re: Connect America Fund, et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, 17956 ¶ 847.

² *See generally id.* 26 FCC Rcd at 17709, Section VII.

Sincerely,

/s/

Mike Saperstein

cc: Gigi Sohn